

Docket No.: 03818/100L650-US1
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Patent Application of:
Mladen Mercep et al.

Application No.: 10/615,716

Filed: July 8, 2003

Art Unit: 1623

For: NEW COMPOUNDS, COMPOSITIONS AND
METHODS FOR TREATMENT OF
INFLAMMATORY DISEASES AND
CONDITIONS

Examiner: E. Peselev

PETITION UNDER 37 CFR 1.313(c)(2)

Mail Stop Petitions
Commissioner for patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

We hereby request withdrawal of patent application 10/615,716 from issue. The application was allowed on April 1, 2005 and the issue fee was paid on June 30, 2005.

A request for continued examination in compliance with 37 CFR §1.114 is being submitted simultaneously with this petition.

There is a specific and potentially significant defect in the allowed application requiring this application to be withdrawn from issue. Particularly, applicants have become aware of several references that were not before the Examiner during prosecution of this application. These references are U.S. Pat. Pub. 2004/0186063 A1 and U.S. Pat. Pub. 2004/0087517 A1.

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Our check in the amount of \$130.00 covering the fee set forth in 37 CFR 1.17(h) is enclosed. The Commissioner is authorized to charge any deficiency of up to \$300.00 or credit any excess in this fee to Deposit Account No. 04-0100.

Accordingly, it is respectfully requested that this request for withdrawal from issue be granted.

Dated: July 18, 2005

Respectfully submitted,

By 
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§ 1.314 – to defer issuance of a patent.

Registration No., if applicable